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THE ANTI-PROJECTOR: OR The History of the Fen Project.

BRITISH MUSEUM

IT's ausual question, *Whether drayning be good for the Common wealth.*

Answ. 1. There are two kindes of legal drayning. The one is by the ancient Commissions of Sewers, according to the 23 *H.*8. where the Commissioners of Sewers and Jurors are to be of the same County where the land lyeth; who once or twice every year, if occasion required, ought to view the wants of scowring the old Drains, and to return the defaulters to the Commissioners, who used to ascertain their Amerciaments.

The second is according to a Law made in the 43 *Eliz.* whereby the major part of the owners and Commonners of any Township may agree with any person or Corporation for a certain sum of money under their hands and seals indented, for the drayning of such lands, as they finde hurtfully surrounded. This is also Legal and good for the Common-wealth, because it is with their free consents.

It may be objected, *Why hath not the Country Drayned themselves all this while?*

The Countries have been alwaies able and willing; but for these fifty years or thereabouts their legal Commissioners, according to the 23 of *H.* 8. have been obstructed by powerful undertakers, Courtiers, Lord-keepers, Atturnies-General, and Projectors, and dissolutions, and intervals of Parliament: The which Law if it had been constantly put in execution, without these gross interruptions, would have done the work in most Towns where need required within the supposed Level. For without doubt the stopping of the old Draynes is the cause of all their new mischiefs.

Illegal Drayning.

All the illegal undertakers have pretended they had the consents of the Countries to be drayned by them, which alwaies hath been the ground of their cheat from the beginning. (*viz.*)

The first notorious undertaker was the Earl of *Lincoln*, in Queen *Elizabeths* dayes. His covetous Lordship by bribes to some Courtiers, and mis-information by pretending what a glorious work drayning would be to the Publick, and that he had the consent of the Country which indeed were but an inconsiderable party of

his own faction) procured a Pattent or Commiſſion for the drayning of the Fens But his private ends were to drain his own ſurrounded foul lands at the Publics charges; and he ſo packed his Commiſſioners, by making them Judges and Parties, that they made a Level and took away the poor Country-mens lands (which were never drowned, or bettered by overflowing) for melioration.

The Queen being informed how her good Subjects were abuſed, and that the ſaid Commiſſion was contrary to the Law of Sewers, (*viz.*) 23. *H.* 8. She thereupon made that juſt and equitable Law, ſo conſonant to nature and reaſon, for the moſt ſtrict preſervation of propriety, called, The Statute of Improvement in the forty third year of her raign. Which Law preſcribes the Rule to undertaking, or contracting. *viz.* Firſt there muſt be fairly and freely obtained the conſents of the major part of the owners and Commoners under their hands and ſeals indented So that the Commiſſioners of Sewers have nothing to do with the matter and manner of undertaking. Neither is a Commiſſioner of Sewers capable to be an undertaker, for then he ſhould be both Judge and Party, and ſo to contract with himſelf which were abſurd.

Primo Jacobi, Sir *Miles Sandys* having purchaſed ſome hurtfully ſurrounded lands; to drain himſelf though to the drowning of his neighbours (by bribes to Courtiers procured a Commiſſion to drain the Fens, and got himſelf and his participants to be made Commiſſioners, and conſequently Judges and Parties. Then they made a Level, and brought in thoſe Towns of *Cambridge* ſhire, on the South-ſide the River Graunt to be part of the Level, or hurtfully ſurrounded grounds. which words are convertible; and they contracted with themſelves, and gave to themſelves one third part of thoſe lands for draining and melioration, moſt part of which lands being in truth dry grounds, or bettered by overflowing, or at leaſt able to drain themſelves, by cleaning the old Sewers, had not the Legal Commiſſions of Sewers been obſtructed by theſe undertakers.

This Project was wittily diſcovered to King *James* in the beginning of his raign; for one told the King he ſhould hear a Cow ſpeak, which the King wondered at, and was perſwaded to go to his Stables at *Theobalds*, where the Cow was covered all over. The King commanded the Company to withdraw; and uncovered the Cow, and upon the horns, there was a large Parchment rolled up, and all the undertakers fallacies diſcovered therein. The King enjoyned ſecrecy, and in full Parliament ſpake againſt it in theſe words; *It is juſt the ſame Caſe, my Lords, as though a pack of Theeves ſhould give me* 20000. l. *to give them a Patent under my broad ſeal to rob my loyal Subjects of* 200000 l. *by the which I ſhould perjure my ſelf, and become a Thief and Tyrant.* And thereupon it was thrown out for a Project. Some of the undertakers friends preſſed earneſtly that the Countries might bear their charges, Sir *Edward Cook* replyed, *Let thoſe pay them that ſet them on work.*

19. *Jacobi.* The King himſelf turned undertaker, contrary to his ſpeech in Parliament, and contrary to the Acts made 43 *Eliz.* and the fourth and ſeventh of his Raign. The occaſion the King brake that Parliament, was for his favorites

favourites ſake, whoſe brother (Sir *Edward Villiers*) was queſtioned for a Monopoliſt.

Obſerve this undertaking of 19 *Jacobi* was the foundation of *Francis E.* of *Bedfords* undertaking, as it appears in their *Lyn* Law, where the Bribe given to the King is neatly couched, which was 12000 acres of our lands.

After King Charles had condemned Loan money by the Petition of Right, and had often broke his own Law, then the Projectors ſwarmed again, for they knew the King was irreconcilable to Parliaments, and all things were carried with a high hand, and thoſe moſt renowned Judges chief juſtice *Crew*, and chief Baron *Walter*, were diſgraced, and the Judges Patents were altered, and thoſe words, *Quam diu ſe bene geſſerit* expunged, and thoſe Prerogative words inſerted, *Ad bene placitum Domini Regis.*

This was a fit ſeaſon to Monopolize, and in this interval of Parliaments, *Francis* Earl of *Bedford*, the Lord Treaſurer *Weſton*, the Earl of *Dorſet*, the Earl of *Linſey* and his ſon, the Lord *Mowbray*, Lord *Gorge*, Sir *Edward Heron*, Sir *John Brook*, Sir *David Coningham*, Mr. *Latch*, Sir *John Munſon*, Sir *Philbert Vernatt*, with many more of the Kings Party turned undertakers, and gave bribes to the King, Queen, and Lords of the Councel, Secretaries, Attournyes General, and Courtiers, and procured illegal Commiſſions, and made themſelves Judges and Parties, and gave the peoples lands to themſelves, as Commiſſioners and undertakers, which are inconſiſtent for the reaſons premiſed.

At *Kingſ-Lyn*, 6 *Caroli.* They pretended they had the Major part of the Owners and Commoners conſents, which if they can ſhew under our hands and ſeals according to the 43 *Eliz.* we are content they ſhall enjoy our lands: we are ready to joyn Iſſue with them upon that point, and ſo are thoſe of the Iſle of *Axom* againſt Mr. *Gibbons.*

Likewiſe thoſe which oppoſe the Earl of *Linſey*, Sir *Anthony Thomas*, Sir *John Munſon*, Sir *Cornelius Vermooden*, and others, are ready to prove all their undertakings have been againſt the Countries Conſents, and that they have been both Commiſſioners, and undertakers, Judges and Parties, which is againſt the Law of God, Nature, and common Reaſon.

By the ſame reaſon theſe packd Commiſſioners being Judges and Parties, made 300000 acres the Level, (very much of which land is dry, or bettered by overflowing) they may make *England* the Level, *England* to be ſurrounded, and take one third this year for drayning, and another third the next for melioration, and the third take all by their Prerogative.

The ſix Counties Petitioned King *Charles* at *Newmarket* againſt *Lyn* Law, which was condemned at a Seſſion of Sewers held at *Huntington*, 14 *Car.* Before this the people were Purſuvanted, impriſoned by Councel Table warrants, and their Hay taken off their Carts, and the ſix Counties were moſt grievouſly oppreſſed.

Afterwards the King turned undertaker himſelf, and ſo our oppreſſion continued,

for the Comiſſioners were ſtill Judges and Parties, and took away our lands a-ga inſt our conſents.

In the beginning of the laſt Parliament when *Francis* Earl of *Bedford* was made Lord Treaſurer, then by his power and faction in the Lords Houſe, a Bill was exhibited to the Parliament by ſome of the undertakers for drayning, againſt the peoples conſents, but that bill dyed with him.

Afterwards when *William* Earl of *Bedford* was made General of the Parliaments Horſe, there was a bill for drayning committed; there was a Committee of 30 or 40. and they ſate in the Court of Exchequer, and Mr. *Pelham* had the Chair. The Earl was there preſent himſelf, and ſome Parliament men which were the ſaid Earls participants were very active, and ſate at the Committee as Judges, and Parties. Upon a long debate that bill was overthrown.

About two years after (when *William* Earl of *Bedford*, and Mr. *Henly* returned from *Oxford*) there was a ſhort Ordinance for drayning committed. The Committee ſate in the Star-chamber and the ſix Counties were ſummoned, and there was an extraordinary appearance againſt the undertakers; Mr. *Scowen* had the Chair, and the people cryed out, no Mr. *Scowen*, for he was *Francis* Earl of *Bedford*'s Sollicitor. This Committee was furniſh'd with too many undertakers of Parliment men. There were at leaſt twelve ſeveral Chairmen of that Committee, and moſt of them byaſſed for the undertakers, for no witneſſes were fairly examined for the ſix Counties, but leading Interrogatories obtruded upon them: not one Town of ten were examined at all, when the ſix Counties attended there were commonly two or three undertakers, who adjourned the Committee in *Weſtminſter*-hall on purpoſe to vex and tire the people; when the people had ſpent their money and were gone out of town, then the Committee ſate in one corner or another, ſo that their ſollicitors were fain to watch them. The Committee-men were often feaſted by the undertakers, and our lands were offered to be ſold at two years value to Parliament men, which was often complained of to the Parliament by ſome worthy Patriots. This great (not good bargain) increaſed very much their faction: yet providence (which hath done wonders) blaſted this Ordinance that it withered away to nothing.

About four years ſince there was a new Act ſet on foot, and the ſix Counties were ſurpriſed, for they were not, as formerly, ſo much as ſummoned. This Act was a child of darkneſs, for it could not endure the light. We are informed the Chairman uſhered in this Act, with a Petition like unto that at *Kingſ-Lyn*, as though it proceeded from the Major part of the owners, and Commoners, but it was a meer impoſture of the undertakers faction, and not one of a hundred.

The Houſe was very thin when this Act was paſſed, about 43. and ſome of them were parties interreſted, and the undertakers of all the Levels, like birds of a feather flocked together and watched their oppertunity when many of the unintereſted Parliament-men were abſent: If the truth were known there was no Houſe, becauſe there was an Order, That no Parliament man being a participant, ſhould be Judge and Party in his own Cauſe.

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For the Act it ſelf, it is a formidable monſter. The Title and Preamble is like a Sarazens head and neck, the Body is proportionable, and worſe then that, and the concluſion worſt of all. We ſhall make it appear to be againſt the Law of God, nature, reaſon and common ſenſe: For firſt, They have enacted parties intereſſed to be Judges. Secondly, they have enacted impoſſibilities, as wet to be dry, and dry wet (*viz.*) that to be the Level which is not the Level: they may as well enact white to be black, and black white. Thirdly, This Act deſtroys Propriety. Fourthly, the Earl of *Bedfords* Pan *Thorney Abby* is exempted from draining; when dry land, and ſuch as is bettered by overflowing, muſt contribute. Fifthly, they have deſtroyed a chief branch of the Common Law, in depriving the people of their Juries of the neighbourhood. Sixthly, they have enacted a moſt intollerable grievance in impowring the Commiſſioners to make the people dance attendance a hundred miles from their homes every ſeaventh day after the Term, to attend them for four or five hours, to ſpend their monies, and have no agrievance redreſſed, ſometimes no Committee appearing, whereas anciently according to Law and equity, for the eaſe of the ſix Counties, This Level was ſeaven Levels, and each Level had their ſeveral Commiſſioners and Iurors, and acted only in their proper Countries. We ſhall diſcover many more inſufferable grievances, if the Supreme Authority pleaſe to hear us by witneſſes upon Oath. And we hope their Honours in their wiſdoms will take care we ſhall not be obſtructed by Judges and Parties, and biaſſed Chairmen, as formerly we have been.

The Undertakers have had two Adjudications which they much boaſt of. The firſt was when many thouſand acres were actually drowned, occaſioned by land-ſlouds, incident to River-Medows; yet contrary to occular demonſtration, they were adjudged drained.

The other was in the extremity of the drougth, when it was impoſſible to judge what land was drained, and what not. And they have adjudged thouſands of acres drained, which were never drowned, and thouſands drowned which are bettered by overflowing in the nature of River-Meadows.

The people are put out of poſſeſſion of their lands without hearing one witneſs upon oath on their parts, which is againſt the fundamental Law of the Land, and the great Charter of Liberty and property.

The *Lincolneſhier* men in the Iſle of *Axom*, had the benefit of the Law againſt Mr. *Gibbons*, and they have a verdict againſt him, Sr. *Edward Barkham*, Captain *Hall* and Mr. *Waldren* were left to the Law by the Parliament, and recovered againſt the Undertakers. But we of the ſix Counties have been ſo obſtructed in the E. of *Bedfords* Level by the Undertakers faction, that we are barred the Law by this Act of Parliament. But we hope the Supreme Authority will remove this block out of the way, and leave us to the Law, as other free-born people of this Nation are.

In the Parliaments firſt grand Remonſtrance 1641. this levelling and deſtroying of propriety was voted, *An injuſtice, oppreſſion, violence, project and grievance.* And in more expreſs words, thus, Large quantities of Commons and Severals have

been taken from the Subject by the colour of the Statute of Improvement, and by abuse of the Commission of Sewers, without their consents and against it. So the Undertakers were the true Levellers, for they created the equivocal word Level.

Compare these Votes with the late Act for Draining, and you may observe most gross contradictions, for iniquity *viz.* injustice, oppression violence, project and grievance are established by a Law, which is not to be wondred at, because it proceeded from the barren womb of self-interest; but the fertile womb of the publique (which is self-denyal) will help it in good time.

We believe the Undertakers will be endeavouring to sell our Lands again (as formerly they were) at two years value to gain a new faction; but we are confident of better things, and that at last their bribing dishonest proceedings, and their project will be destroyed together.

The E. of *Bedford* and his participants Case is the same with those fore-recited Cases of the E. of *Lincoln*, and Sir *Miles Sandys*, both pretending the publick, but intending only their private ends, and gross partialitie (if it be dived into) will be found in the bottom of it. For the E. of *Bedfords* large Manner of *Thorney Abby*, consisting of 20000 acres of hurtfully surrounded Lands must be partly drained, and partly meliorated at the Countries charge; and 20 Towns must be pejorated by the draining the Earls foul Town. And dry lands, and such lands as are bettered by overflowing, must contribute to drain the E. of *Bedfords* lands, and the Earls really hurtfully surrounded lands are not to be contributory (by the said Act) to draining.

In all the undertakings (which are the same Cases *Mutatis Mutandis*) there are 300000 people concerned in it, which have furnished the Parliament with many thousand men, horses, and vast sums of money, besides the praiers of a numerous godly precious people. And those few undertakers, upon this account only, have most of them been most malicious enemies against the Parliament; for some of them had like to have slain the Lord *Fairfax* in the Isle of *Axom*, who was rescued by the anti-undertakers. He that will forsake old friends, and trust to reconciled enemies, runs a great hazard, or rather will be certainly ruined. *Can a Blackmore change his skin?*

We hope that the four Undertakers nominated in the Act, shall be examined upon Oath, who are their participants; for we have just cause of jealousie, many of the Commissioners are Judges and parties.

If any of the Commissioners in this Act are participants in another Level, the grievance is the same; for our fellow sufferers in the Earl of *Linseys* Level, were much obstructed by a participant in the Earl of *Bedfords* Level, who was sometime Chairman for S. *William Killegrew* in the Earl of *Linseys* Level, and all the participants of all the Levels, and their allies and friends joyn and combine together against the poor Country.

The Undertakers talk of great matters that will accrue to the Commonwealth by Rape; I am sure they have committed a Rape upon the Republique, in ravish-

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ing the good People of this Nation (by their Tyranny and Oppreſſion) out of their Properties and Liberties. I hope we ſhall be left at liberty to make choice of our own undertakers, if need require, according to the 43 *Eliz. ab.* And that the Parliaments faithful Friends, ſhall not be the Earl of *edford*'s and Maſter *Henley*'s Wardes any longer. Is it probable ſtrangers will do us more good, and ſtudy our profit more then we will do our own? Certainly we know how to drain our ſelves better then they, (might we have the benefit of the good Laws of the Land) and are better able.

As the Courtiers thought (after the Parliament was diſſolved in 3 *Car.* and the Petition of Right was broken as ſoon as it was made they were cock-ſure to perpetuate their Tyranny, and that they ſhould never have been queſtioned; ſo the undertakers and their faction in Parliament had the ſame thoughts (which is demonſtrable by their actions) and are come by Divine Providence to the ſame end.

As the over flowing corruptions of the undertakers faction (being Judges and Parties) did hurtfully ſurround the Parliament: So certainly it was good for the Commonwealth they ſhould be drayned and meliorated, and it is acccording to the Statute of Improvement or Undertaking *viz.* the 43 *Eliz. ab.* For I am ſure the major part of the Owners and Commoners of the Earl of *Bedford*'s Level, will conſent unto it under their Hands and Seals Indented.

Objection, It may by objected, *The Earl of* Bedford's *Draynes are the beſt Draynes, and have done the work, as ſome of the Commiſſioners have adjudged.*

Anſwer, We anſwer, That by the new Draynes, there is very little good done, but by drayning the barren North, and drowning the rich South for private ends; as will experimentally appear at the firſt Floods which ſhall break out, which (probably) was the cauſe of the precipitation of the adjudication.

But the old and Legal way of drayning and undertaking (*viz.*) by the 23 *Henr.* 8, and 43 *Eliz. ab.* are the beſt for the Common-wealth, becauſe the old Draynes have the greateſt deſcents, and are the natural ſinks and vent of the Fens.

If a Mans fundament were ſtopped, though a hundred iſſues were made in the ſame body, the maſs of blood would be corrupted, and the bodie would break out in Botches and Boyles. So ſtop up the old Sewers the Quagmires will generally increaſe on the South-ſide though much good may bee done on the North-ſide to ſome particular Towns, as *Thorney*, and *Wittleſey*, which drowns the Soake of *Peterborow* conſiſting of twenty Towns.

Objection, *The Earl ſay they hath made a rich Improvement out of the great Level which was before of little or no value. Now it bears Rape, and Cole-ſeed* &c.

Anſw.

Anſw. The undertakers have alwaies vilified the Fens, and have miſ-informed many Parliament men, that all the Fens is a meer quagmire, and that it is a level hurtfully ſurrounded, and of little or no value: but thoſe which live in the Fens, and are neighbours to it, know the contrary.

For firſt, the Fens breed infinite number of ſerviceable horſes, mares, and colts, which till our land, and furniſh our neighbours.

Secondly we breed and feed great ſtore of young cattle, and we keep great dayeries, which afford great ſtore of butter and cheeſe to victual the Navy, and multitudes of heyfers, and Scots and Iriſh cattle have been fatted on the Fens, which afford hides, and tallow.

Thirdly, we mow off our Fens fodder, which feeds our cowes in winter, which being houſed, we gather ſuch quantities of compoſt and dung, that it enriches our paſtures and corn ground, half in half, whereby we have the richeſt and certaineſt corn land in *England*, eſpecially for wheat and barley, wherewith by Sea) we do, and can (if our navigable rivers be not made unſerviceable by the undertakers pernitious new ditches) abundantly furniſh *London* and the Northern parts in their neceſſities. All which fore-recited commodities make our Fens far more profitable to the owners, lying as they are for graſs, then if they were ſown with corn, rape, or cole-ſeed.

Fourthly, we keep great flocks of ſheep upon the Fens.

Fifthly, our Fens are a great relief, not onely to our neighbors the uplanders, but to remote Countries, which otherwiſe, ſom years thouſands of catle would want food.

Sixtly, we have great ſtore of Oſier, Reed, and Sedge, which are ſuch neceſſaries as the Countries cannot want them for many uſes, and ſets many poor on work.

Laſtly, we have many thouſand Cottagers, which live on our Fens, which otherwiſe muſt go a begging. So that if the undertakers take from us a third part of our Fens, they deſtroy not onely our paſtures and corn ground, but alſo our poor, and utterly diſable us to relieve them.

What is Cole-ſeed and Rape, they are but Dutch commodities, and but traſh and trumpery, and pills land, in reſpect of the fore-recited commodities, which are the rich Oare of the Common-wealth.

This Project hath proved the Philoſophers ſtone, or that accurſed thing to the undertakers, for it hath undone moſt of them that ever medled with it. The cauſe is plain, becauſe it hath proved a Grinſtone to the faces of thouſands of poor people.

He that oppreſſeth the Poor, reproacheth his Maker. Prov. 14. 31.

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